

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Rodriguez, et al.

Serial No.: **09/693,780**

Filed: **October 20, 2000**

For: **Synchronized Video-on-Demand Supplements**

Confirmation No.: **8562**

Group Art Unit: **2623**

Examiner: **Beliveau, Scott E.**

Docket No. **A-6694 (191910-1680)**

RESPONSE TO FINAL OFFICE ACTION

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The outstanding final Office Action mailed April 5, 2006 has been carefully considered. Reconsideration and allowance of the Application and presently pending claims, as amended, are respectfully requested.

AUTHORIZATION TO DEBIT ACCOUNT

It is believed that no extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefore (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 20-0778.

CLAIMS

Please amend the claims as indicted below:

1-103. (Canceled)

104. (Currently Amended) A method implemented by a television set-top-terminal (“STT”) configured to receive a video program from a remote server, the method comprising:

storing by the STT a plurality of streams corresponding to the video program from the remote server, the plurality of streams including a first set of streams and a supplementary data stream that is different than the streams in the first set of streams, the first set of streams including at least an audio stream and a video stream, the supplementary data stream corresponding to supplementary information;

providing a first selectable option to receive the video program from a plurality of video programs;

receiving a first viewer input from a viewer, the first viewer input being configured to select the first selectable option;

responsive to receiving the first viewer input, providing a second selectable option to receive the supplementary data stream in the STT, wherein the second selectable option is first provided after receipt of the first viewer input and as a direct result of receiving the first user input;

receiving a second viewer input from [[a]] the viewer responsive to providing the second selectable option;

responsive to receiving the second viewer input corresponding to selecting the second selectable option,

communicating with the remote server by the STT via a first transmission frequency channel to receive the plurality of streams,

receiving a respective sequential portion of each stream in the plurality of streams substantially simultaneously via a tuner in the STT tuned to the first transmission frequency channel,

storing the sequential portions of the supplementary data stream and each stream in the first set of streams into respective sections of a memory in the STT, and

presenting the sequential portions of the supplementary data stream and the audio stream and the video stream of the video program in the first set of streams in their respective decoded form simultaneously at a plurality of respective time intervals corresponding to respective portions of the video program; and

responsive to receiving the second viewer input corresponding to a viewer input that is different than a viewer input corresponding to selecting the second selectable option,

receiving a respective sequential portion of each stream in the plurality of streams substantially simultaneously via a tuner in the STT tuned to the first transmission frequency channel,

rejecting the supplementary data stream at the STT,

storing the sequential portions of each stream of the first set of streams into respective sections of the memory in the STT, and

presenting the sequential portions of the audio stream and the video stream of the video program of the first set of streams in their respective decoded form simultaneously at a plurality of respective time intervals corresponding to respective portions of the video program;

wherein the second selectable option is associated with an option to display on-screen comments; and

wherein the supplementary data stream comprises on-screen comments, the on-screen comments including comments from at least one other viewer.

105. (Canceled)

106. (Previously Presented) The method of claim 104, wherein presenting the supplementary data stream during the plurality of respective time intervals corresponds to the appearance time of a visual object contained in the video program.

107. (Previously Presented) The method of claim 104, wherein presenting the sequential portions of the supplementary data stream at a plurality of respective time intervals corresponding to respective portions of the video program includes presenting a time-synchronized composition of the supplementary data stream and the video program according to time stamp specifications.

108. (Previously Presented) The method of claim 107, wherein at least a portion of the supplementary data stream and at least the respective sequential portion of each stream in the plurality of streams are presented by the STT as a television signal.

109. (Canceled)

110. (Previously Presented) The method of claim 104, wherein the video program comprises a video-on-demand ("VOD") program established over a dedicated network session between the remote server and the STT.

111. (Currently Amended) The method of claim 104, wherein at least a portion of the supplementary data stream and at least a respective portion of each stream in the first ~~plurality~~ set of streams are received substantially simultaneously by the STT from a single tuned transmission channel via the tuner in the STT.

112. (Previously Presented) The method of claim 111, wherein the transmission frequency channel is a radio-frequency channel with a specified center frequency, wherein data carried in the transmission channel is modulated via quadrature amplitude modulation (QAM).

113. (Previously Presented) The method of claim 104, wherein the supplementary data stream, audio stream, and video stream are encrypted and transmitted over the same transmission frequency channel.

114. (Previously Presented) The method of claim 104, wherein presenting the sequential portions of the supplementary data stream at a plurality of respective time intervals is in relation to a starting point in the video program, the starting point being a video chapter.

115. (Previously Presented) The method of claim 104, wherein at least one portion of the supplementary data stream is associated with and presented during a first interval and a second interval of the presentation of the video program.

116-118. (Canceled)

119. (Previously Presented) The method of claim 104, wherein responsive to receiving the second viewer input corresponding to selecting the second selectable option further comprises:

configuring a rental viewing period and the initial transmission to the STT of the video program and the supplementary data stream via the first transmission frequency channel;

receiving the initial transmission of the video program and the supplementary data stream in the STT during the rental viewing period via a tuner in the STT tuned to the first transmission frequency channel; and

presenting a respective portion of the initial transmission of the video program and the supplementary data stream simultaneously at a plurality of respective time intervals corresponding to respective portions of the video program.

120. (Previously Presented) The method of claim 104, wherein the video program corresponds to a single consumable version of the video program in the remote server, the consumable version of the video program corresponding to the released form of the video program, the plurality of streams corresponding to an entirety of the stored video program.

121. (Previously Presented) The method of claim 104, wherein the first selectable option is associated with a video title.

122. (Canceled)

123. (Currently Amended) The method of claim ~~122~~ 104, further comprising:
responsive to receiving the second viewer input corresponding to selecting the second selectable option,

presenting an indication that the option to display pop-up comments has been activated,

receiving a third viewer input for de-activating the pop-up comments, and
rejecting the supplementary data stream at the STT.

124. (Currently Amended) The method of claim ~~122~~ 104, further comprising:
responsive to receiving the second viewer input corresponding to a viewer input that is different than a viewer input corresponding to selecting the second selectable option,

presenting an indication that the option to display pop-up comments has been de-activated,

receiving a third viewer input for activating the pop-up comments, and

presenting the sequential portions of the originally rejected supplementary data stream in its decoded form at a plurality of respective time intervals corresponding to respective portions of the video program.

125. (New) The method of claim 104, further comprising enabling the viewer to add comments.

126. (New) The method of claim 125, further comprising:
receiving and storing comments added by the viewer; and
transmitting the comments added by the viewer to the remote server after the sequential portions of the supplementary data stream and the audio stream and video stream of the video program have been presented.

REMARKS

This is a full and timely response to the final Office Action mailed April 5, 2006. Claims 104, 111, 123, and 124 have been amended. Also, claims 105, 116-118, and 122 have been canceled without prejudice or disclaimer, and claims 125 and 126 are added. Upon entry of these amendments, claims 104, 106-115, 119-121, and 123-126 will be pending in the present application. Reconsideration and allowance of the application and presently pending claims are respectfully requested in view of the foregoing remarks. Applicants should not be presumed to agree with any statements made in this Office Action unless otherwise specifically indicated by Applicants.

I. Priority

The Office Action states that Applicants' claim for domestic priority under 35 U.S.C. §119(e) is acknowledged. The Office Action also states, however, that the Provisional Application No. 60/214,987, upon which priority is claimed fails to provide adequate support under 35 U.S.C. §112 for claims 57-59, 61, 63-65, 92-98, and 101-103 of the application. Applicants do not wish to address the validity of this issue regarding priority at this time, but reserve the right to respond to this issue in a later response. It should not be presumed that Applicants agree with the assertions made in this Office Action regarding priority.

II. Claim Objection

The Office Action objected to claim 111 because of an antecedent issue. In response, claim 111 has been amended according to the Examiner's suggestion.

III. Response to Claim Rejection under 35 U.S.C. §103

Claims 104, 107-111, 115, 118, 120, and 121 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *White et al.* (U.S. Patent No. 6,628,302) in view of *Watts et al.* (U.S. Patent No. 6,324,694). Claims 105, 106, 114, and 117 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *White et al.* in view of *Watts et al.* and further in view of *Abecassis* (U.S. Patent No. 6,408,128). Claims 112 and 113 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *White et al.* in view of *Watts et al.* and

further in view of *Adams* (U.S. Patent No. 6,378,130). Also, claim 119 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *White et al.* in view of *Watts et al.* and further in view of *Dunn et al.* (U.S. Patent No. 5,861,906). In addition, claims 122-124 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *White et al.* in view of *Watts et al.* and further in view of *Bassett et al.* (U.S. Patent No. 7,010,492).

With respect to canceled claims 105, 116-118, and 122, the rejections are deemed moot. Furthermore, the sole independent claim 104 is amended herein and is believed to be allowable over the combination of cited references. The amendments to independent claim 104 have been made in an attempt to advance prosecution in the present application.

Applicants respectfully traverse the rejections presented in the Office Action of April 5, 2006 and the arguments made therein. However, the Applicants' rebuttals as discussed in the previous response will not be repeated herein. Although these issues are not being addressed again at this time, it should be understood that this is not an indication of acquiescence.

Independent claim 104 is reproduced below:

104. A method implemented by a television set-top-terminal ("STT") configured to receive a video program from a remote server, the method comprising:

storing by the STT a plurality of streams corresponding to the video program from the remote server, the plurality of streams including a first set of streams and a supplementary data stream that is different than the streams in the first set of streams, the first set of streams including at least an audio stream and a video stream, the supplementary data stream corresponding to supplementary information;

providing a first selectable option to receive the video program from a plurality of video programs;

receiving a first viewer input from a viewer, the first viewer input being configured to select the first selectable option;

responsive to receiving the first viewer input, providing a second selectable option to receive the supplementary data stream in the STT, wherein the second selectable option is first provided after receipt of the first viewer input and as a direct result of receiving the first user input;

receiving a second viewer input from the viewer responsive to providing the second selectable option;

responsive to receiving the second viewer input corresponding to selecting the second selectable option,

communicating with the remote server by the STT via a first transmission frequency channel to receive the plurality of streams,

receiving a respective sequential portion of each stream in the plurality of streams substantially simultaneously via a tuner in the STT tuned to the first transmission frequency channel,

storing the sequential portions of the supplementary data stream and each stream in the first set of streams into respective sections of a memory in the STT, and

presenting the sequential portions of the supplementary data stream and the audio stream and the video stream of the video program in the first set of streams in their respective decoded form simultaneously at a plurality of respective time intervals corresponding to respective portions of the video program; and

responsive to receiving the second viewer input corresponding to a viewer input that is different than a viewer input corresponding to selecting the second selectable option,

receiving a respective sequential portion of each stream in the plurality of streams substantially simultaneously via a tuner in the STT tuned to the first transmission frequency channel,

rejecting the supplementary data stream at the STT,

storing the sequential portions of each stream of the first set of streams into respective sections of the memory in the STT, and

presenting the sequential portions of the audio stream and the video stream of the video program of the first set of streams in their respective decoded form simultaneously at a plurality of respective time intervals corresponding to respective portions of the video program;

wherein the second selectable option is associated with an option to display on-screen comments; and

wherein the supplementary data stream comprises on-screen comments, the on-screen comments including comments from at least one other viewer.

(Emphasis Added)

White et al. and Watts et al., taken alone or in combination, fail to teach or suggest the above-highlighted features of independent claim 104. In addition, the other cited references fail to overcome the deficiencies of this combination. Claim 104, as amended, recites that the supplementary data stream comprises on-screen comments and the on-screen comments include *comments from at least one other viewer*. The cited references do not teach or suggest on-screen comments including comments from another viewer. For at least this reason, it is believed that claim 104 is allowable over the combination of cited references. In addition, claims 106-115, 119-121, and 123-126 are believed to be allowable for at least the reason that they depend directly or indirectly from allowable independent claim 104.

IV. New Claims

The subject matter of claims 125 and 126 further defines the claims with respect to the enabling a viewer to add comments. This subject matter can be found, for example, on p. 15, lines 15-27 in the original specification. New claims 125 and 126 depend from independent claim 104, which is believed to be allowable. For at least this reason, it is believed that claims 125 and 126 are allowable as well.

CONCLUSION

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

Applicants respectfully maintain that the currently pending claims are in condition for allowance. Should the Examiner have any comments or suggestions that would place the subject patent application in better condition for allowance, he is respectfully requested to telephone the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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